

1 testified he had counsel when all his responses were filed  
2 with the Commission and yet it took two years for them to  
3 inform the Commission that Ruth and O.C. were deceased. And  
4 so that's certainly relevant to the truthfulness of the  
5 responses and the candor with which they reply to the  
6 admissions.

7 JUDGE STEINBERG: Well, then you'd better leave  
8 the record just the way it is, namely, they didn't inform  
9 the Commission for two years and they never explained why  
10 they didn't inform the Commission for two years.

11 I think that would be your best case scenario and  
12 then you can argue they hid it from the Commission and they  
13 haven't explain why they didn't -- two years is your  
14 language, I'm not adopting it, but in other words, the  
15 objection is sustained and let's move on.

16 And you all got a heads up as to what the argument  
17 is going to be.

18 MR. PEDIGO: We've pieced that much together,  
19 Your Honor.

20 BY MS. LANCASTER:

21 Q Mr. Brasher, you stated that in 1996, there were  
22 discussions among your family, your father and your mother  
23 and yourself and your wife regarding the Sumpter  
24 applications. My notes says there was testimony that you  
25 all had discussed the Sumpter applications in 1996.

1 MR. PEDIGO: Objection, Your Honor. There was no  
2 testimony on that.

3 MS. LANCASTER: Maybe 1996 -- the 1996 Sumpter  
4 applications were discussed -- I'll strike this question.

5 BY MS. LANCASTER:

6 Q The 1996 Sumpter applications were discussed after  
7 you were served with the Net Wave petition.

8 A Yes.

9 Q Does that sound familiar to you? And there was  
10 discussion among your mother and your father and Diane and  
11 yourself regarding those applications. Is that correct?

12 A That was after the Net Wave, which was late '97  
13 and then some time in '98.

14 Q And I believe you said that O.C. Brasher's  
15 application and license was not discussed during that time  
16 period.

17 A No.

18 Q Do you recall the testimony that I'm talking  
19 about?

20 A Somewhat. Yes.

21 Q And I believe I asked you earlier whether you  
22 thought it was still okay for DLB to operating O.C.'s  
23 station. Do you recall me asking you that earlier?

24 A Yes, I do.

25 Q Well, after the Net Wave petition was filed and

1 all this came up, did you ever specifically seek legal  
2 advice on the question of whether or not it was legal for  
3 DLB to still be operating the station of O.C. Brasher?

4 MR. ROMNEY: Objection, Your Honor. Calls for  
5 attorney-client communications. It's privileged.

6 JUDGE STEINBERG: I think it does.

7 BY MS. LANCASTER:

8 Q When did you look up the articles of incorporation  
9 regarding whether or not you were a director?

10 A Friday night.

11 Q This past Friday night?

12 A Yes.

13 Q So when Mr. Pedigo was asking you about whether or  
14 not you were a director and whether or not that influenced  
15 your answers to your requests for admissions, you hadn't  
16 looked it up prior to you answering your requests for  
17 admissions, right?

18 MR. PEDIGO: Objection. That's not at all what  
19 I was asking.

20 JUDGE STEINBERG: Well, I think you need redirect  
21 on this because I know where this is going, but I think it's  
22 a legitimate question and you need to straighten it out.

23 BY MS. LANCASTER:

24 Q You hadn't done any research about that subject  
25 prior to answering the requests for admissions. Is that

1 correct?

2 A What research? I've lost track.

3 Q About whether or not you were a director.

4 A I knew I was not or suspected I was not.

5 Q Okay. When you found out that some of the  
6 information submitted to the Commission on your behalf or on  
7 DLB's behalf, you being an officer of DLB and now being in  
8 charge of DLB basically, when you find out that some of that  
9 might not have been the truth, did you ever have any  
10 discussions about filing an amended answer or trying to  
11 change that answer on the records of the Commission?

12 A I don't think we were given the opportunity to.

13 Q So it's your understanding that you couldn't have  
14 just filed something with the Commission changing any  
15 answers that were previously filed on your behalf?

16 MR. ROMNEY: Objection, Your Honor. That is going  
17 to inquire and require disclosure of attorney-client  
18 privileged communications.

19 JUDGE STEINBERG: Well, the problem I have with it  
20 is that there wasn't any foundation laid for the witness'  
21 knowledge that any of his answers or any of the submissions  
22 were incorrect. And if he doesn't believe they were  
23 incorrect, then why would he seek to change any of the  
24 answers? So there's a lack of foundation there.

25 MS. LANCASTER: Your Honor, I believe we were just

1 previously discussing the fact that he is not a director and  
2 that previously the Commission had been told that he was a  
3 director.

4 MR. ROMNEY: Not by that witness.

5 JUDGE STEINBERG: Monday morning we all knew that  
6 there are no directors. Mr. Ron Brasher told us that.  
7 I mean, is this going to be a really big deal, that the  
8 Commission was told that there were four directors and the  
9 corporation had no directors?

10 MS. LANCASTER: No, sir. That particular question  
11 is not a big deal.

12 JUDGE STEINBERG: Okay.

13 MS. LANCASTER: But the fact that if there -- I'll  
14 go back and set it up, if you would prefer.

15 JUDGE STEINBERG: Yes. I don't see any foundation  
16 for that.

17 BY MS. LANCASTER:

18 Q Is there anything else in any of the submissions  
19 that have been submitted to the Commission on your behalf or  
20 on behalf of DLB that you would be concerned about as an  
21 officer of DLB that you do not think are truthful?

22 MR. PEDIGO: Objection, Your Honor. That's vague  
23 and ambiguous. When she says "anything," that's going back  
24 to 1997 and that could be anything according to her -- you  
25 know, she's surprised how he answered questions to those

1 admissions. There needs to be particular information. Ask  
2 a direct question, is all I request. So I object to vague  
3 and ambiguous.

4 MS. LANCASTER: Your Honor, I don't think we want  
5 to go through every document. He's already looked through  
6 the documents, we've already gone through all the documents.  
7 He's reviewed them. I'll limit my questions to those  
8 documents if that would be helpful.

9 JUDGE STEINBERG: No, I think we've gone over the  
10 documents, at least the portions of the documents that you  
11 wanted to go over, and I don't see that it makes much sense  
12 to do it all again.

13 MS. LANCASTER: Well, I don't either.

14 JUDGE STEINBERG: The record the way it stands is  
15 in your opinion there are inaccuracies and perhaps  
16 misrepresentations and the facts and the conclusions you  
17 would reach are based on this individual's testimony and the  
18 record as it stands is nothing has been "corrected" through  
19 a formal submission to the FCC. So that's as good as it's  
20 going to get from your standpoint because there's no  
21 explanation if there are inaccuracies, why they weren't  
22 corrected.

23 BY MS. LANCASTER:

24 Q Mr. Brasher, who told you that the Sumpters  
25 requested that stations be turned off?

1           A     Ron Brasher.

2           Q     You didn't have any conversations with any of the  
3     Sumpters regarding that particular matter, did you?

4           A     No, I did not.

5           Q     And when you testified that there's never been any  
6     request for any additional information regarding the  
7     operation of the station and there's never been any requests  
8     for access or all those various things that you testified to  
9     when questioned by Mr. Romney and Mr. Pedigo, that means  
10    there's never been any requests by any of these licensees to  
11    you. That's what you mean, don't you?

12          A     To me or anyone at Metroplex Two Way.

13               JUDGE STEINBERG: To the best of your knowledge.

14               THE WITNESS: To the best of my knowledge.

15               BY MS. LANCASTER:

16          Q     So any request that you know about would have been  
17    something that Ron told you about.

18               MR. ROMNEY: Objection, Your Honor. Vague and  
19    ambiguous. Misleading. Because she's talking the opposite  
20    side of a negative.

21               JUDGE STEINBERG: The testimony was he's not aware  
22    of any requests to him or to anyone else or to Ron or to  
23    anybody else to the best of his knowledge and the question  
24    that you asked was in terms of so any request to Ron would  
25    have been, but he answered you he doesn't have any knowledge

1 of any requests to Ron.

2 MR. ROMNEY: That's my point. He just said that  
3 he has no knowledge of any --

4 JUDGE STEINBERG: You won.

5 MR. ROMNEY: I'm sorry. Thanks.

6 BY MS. LANCASTER:

7 Q I believe you testified that it's your opinion  
8 that the ability to comply with FCC's requirements  
9 fundamentally requires an understanding of frequencies.  
10 Do you recall that statement?

11 A Yes.

12 Q Wouldn't you agree that it also fundamentally  
13 requires an understanding of the names of the licensees of  
14 the stations that you are managing?

15 A From the technical end of it, dealing with the  
16 programming and dealing with the radios and the equipment,  
17 within the programming, it only requires 483.675 to be put  
18 into it. It does not have any place within the programming  
19 or within the technical end of it of putting in Jim Sumpter  
20 or Norma Lutz or WPR or the call signs. My end of the  
21 business is the technical end of programming and putting the  
22 stations up and that.

23 Q But your end of the business now is running the  
24 day-to-day operations of DLB and Metroplex, isn't that  
25 correct?



1           A     Yes, it is. It is evolving. Yes.

2           Q     And that includes more than just the technical end  
3 of that. Doesn't it?

4           A     Yes, I am learning that. Yes.

5           Q     That also includes the overall operation and  
6 management of the stations, doesn't it?

7           A     Yes, it does.

8           Q     And in order to do that, you also are going to  
9 have to know the names of the licenses, aren't you?

10          A     Yes, I do.

11          Q     Your attorney asked you some questions regarding  
12 the allegations contained in the Net Wave petition. Do you  
13 recall those questions?

14          A     Yes.

15          Q     Are you under the impression that this hearing is  
16 about the allegations contained in the Net Wave petition?

17          A     It is what set the ball rolling.

18          Q     Do you understand that the allegations before the  
19 Court or before the judge are different than the allegations  
20 contained in the Net Wave petition?

21          A     Yes.

22          Q     There was also some testimony that there had been  
23 no attempt by DLB or you or anybody else to deceive the  
24 public in any way, that all the information gathered for the  
25 Net Wave petition was public information. Do you remember

1 those questions?

2 A Yes.

3 Q Why was one application filed in the name of David  
4 and one application filed in the name of D.L.?

5 A At the time, my wife and I were having marital  
6 problems and I wanted to at least have one license that  
7 wouldn't be onto the estate of David and Diane.

8 Q And you thought by putting D.L. on the license it  
9 would --

10 A I have since been told differently, it didn't  
11 matter. Texas is a community property state.

12 Q But at the time, you thought that by putting the  
13 name D.L. on one of the licenses that would --

14 A Going to my other address.

15 Q Wait. Let me finish my question, please. And  
16 putting a different address on it that that would fool  
17 somebody into thinking that you were not the same person?

18 A No.

19 Q Then what did you mean by your statement,  
20 then, that it would somehow get you out of the Texas  
21 community property laws or the divorce property laws in  
22 Texas?

23 A That it would go to my other address and that  
24 I would be able to keep that asset from being included into  
25 the divorce proceeding if it went that far.

1 JUDGE STEINBERG: Do you have much more?

2 MS. LANCASTER: No. No, I don't.

3 JUDGE STEINBERG: Before much longer, I want to  
4 take a break.

5 BY MS. LANCASTER:

6 Q I believe you also stated that as far as you were  
7 concerned that there would be no other way to get spectrum  
8 other than the way it was done by DLB, the Allen sites, when  
9 we were talking about the Allen site licenses.

10 JUDGE STEINBERG: That there was no other way?

11 MS. LANCASTER: No other way to get additional  
12 spectrum than to put these licenses in the names of other  
13 people.

14 MR. PEDIGO: Objection.

15 JUDGE STEINBERG: I remember it just the opposite.  
16 I remember it -- well, I'll let you answer because my memory  
17 might be wrong.

18 BY MS. LANCASTER:

19 Q Is there any other way that DLB could have  
20 obtained spectrum other than put these licenses in the names  
21 of other people?

22 JUDGE STEINBERG: Now or in '96?

23 BY MS. LANCASTER:

24 Q There was a distinction made between now and 1996  
25 when this was done. Do you recall that?

1           A     I think so.  Yes.

2           Q     And I believe that you stated that now you  
3 wouldn't have to put licenses in the names of other people  
4 to get spectrum.  Do you recall stating that?

5           A     From this educational experience here, yes.

6           Q     But that in 1996, when all these licenses were put  
7 in the names of other people, that there was no other way to  
8 have done that.

9                 MR. PEDIGO:  Objection.  He said they were advised  
10 that was the way to do it.  He's not giving a legal opinion  
11 about what other courses were available.

12                MS. LANCASTER:  I believe the question was asked  
13 him did you see any other way that it could have been done  
14 and he stated, no, there was no other way to have done it.

15                JUDGE STEINBERG:  Well, why don't you just re-ask  
16 the question because I don't remember that answer.  I don't  
17 remember one way or the other.

18                BY MS. LANCASTER:

19           Q     Well, let me just ask you this.  Do you still  
20 think that what DLB did, putting these licenses in the names  
21 of these other people, and the way it was handled by DLB, do  
22 you still think that that was proper?

23           A     With the advice that we were given or from the  
24 advice that was given to Ron at that time, that's the way it  
25 had to be done and pertaining to my license, I didn't have a

1 problem with my license.

2 Q But I'm asking you with the knowledge that you  
3 have now and looking at all the facts that have come out  
4 about what was done, is it your opinion that it was handled  
5 properly?

6 A Yes.

7 Q You also testified that the two stations that were  
8 turned off on the Allen site did not affect your customers.  
9 It didn't hurt the public by turning off those two sites.  
10 Do you recall that testimony?

11 A Yes, I do. I recall the testimony.

12 Q And I believe there were then some questions about  
13 but what if these other stations were turned off, what  
14 effect that would have.

15 A You always have a certain amount of spectrum to  
16 ensure quick and prompt access to the system. You can cut  
17 it down. We are as low as we can go without impacting the  
18 customer. It's always great to have additional spectrum to  
19 ensure that the customer has spontaneous or instantaneous  
20 connectivity. If you continue to drop channels off, you  
21 will not have that.

22 You will have customers who are having to wait in  
23 line or not getting access at all. At present, we have a  
24 system where they are waiting to some degree without those  
25 licenses, but we are limping by without it.

1           Q     Okay. But isn't that the real reason you didn't  
2     turn off O.C.'s station? It's going to hurt your business  
3     if you had to turn off O.C.'s station?

4           A     It's going to hurt the industry in reference to  
5     who subscribes to that as well. They will not have  
6     communications with their vehicles in a timely fashion or  
7     manner.

8           Q     So it's your testimony that you're not concerned  
9     that it's going to hurt your business, you're only concerned  
10    that it's going to hurt the public? Is that what I'm  
11    hearing?

12          A     My testimony is that it is going to impact both.

13          Q     And that's really why you didn't turn it off,  
14    though, because it's going to hurt your business, isn't it?

15          A     Never was asked to turn it off.

16          Q     Okay. But he's dead, you can't ask him.

17          A     I never was directed by the estate.

18          Q     Okay. And how about the Sumpters? You now  
19    understand that the Sumpters have testified that they didn't  
20    apply for these licenses that are in their names. You  
21    understand that now, don't you?

22          A     I've not read anything in reference to their  
23    testimony.

24          Q     You don't know anything about the allegations of  
25    the Sumpters?

1 MR. PEDIGO: Objection. Testimony is different  
2 from allegations.

3 MS. LANCASTER: Okay. Well, I'm asking does he  
4 know anything about the allegations of the Sumpters.  
5 Different question.

6 THE WITNESS: Explain -- I know what allegation  
7 means, explain what you're in reference to, their concerns  
8 or issues?

9 BY MS. LANCASTER:

10 Q Let me ask it another way. Do you have authority  
11 to manage the station of Jim Sumpter?

12 A Yes, we do.

13 Q Where did you get that authority?

14 A I don't know.

15 Q Why do you think you have that authority?

16 A I assume Jim applied for a license and allowed  
17 Metroplex to use it.

18 Q So at this point, it's your testimony that you  
19 don't realize that Mr. Sumpter has denied that?

20 A I've never heard that.

21 Q How about the station of Jennifer Hill? That's  
22 still operating, isn't it?

23 A Yes, it is.

24 Q And under what authority are you managing the  
25 station of Jennifer Hill?

1           MR. PEDIGO: Your Honor, object. That calls for a  
2 legal conclusion because there are documents assigning the  
3 authorization that the government has put in in this case,  
4 so to the extent he's having to give an opinion about the  
5 effect of those authorizations to assign their rights in  
6 those licenses, he's not qualified to do that, other than  
7 his state of mind.

8           JUDGE STEINBERG: Well, I'm just looking for his  
9 state of mind, not for a legal conclusion.

10          MR. PEDIGO: All right.

11          JUDGE STEINBERG: In your own mind.

12          BY MS. LANCASTER:

13          Q     As you understand it, what authority do you have  
14 to manage the station for Jennifer Hill? That's in Jennifer  
15 Hill's name?

16          A     I'd have to assume they allowed it.

17          Q     Who allowed it?

18          A     The licensee.

19          Q     So it's your testimony that at this point in time,  
20 you're unaware that Jennifer Hill has denied ever signing an  
21 application for that license?

22          A     Can you restate that?

23          Q     Did you know that Jennifer Hill has denied signing  
24 the application to obtain the license that you are now  
25 managing?



1           A     I do now.

2           Q     And that she has denied giving DLB authority to  
3     operate a station on her behalf?

4           MR. ROMNEY:  Objection.  Assumes facts not in  
5     evidence.

6           JUDGE STEINBERG:  I'm going to have to take five  
7     minutes.

8           MS. LANCASTER:  Well, this is my last question,  
9     Your Honor.

10          JUDGE STEINBERG:  Well, last questions turn  
11     into -- no.  You'll have your questions, I need to take five  
12     minutes.

13          MS. LANCASTER:  Okay.

14          (A brief recess was taken.)

15          JUDGE STEINBERG:  Back on the record.

16          Ms. Lancaster?

17          BY MS. LANCASTER:

18          Q     I believe the last question I asked you,  
19     Mr. Brasher, was did you know that Jennifer Hill has denied  
20     signing the application for the license that DLB is now  
21     managing?  Did you know that?

22          A     Learning that this week, yes.

23          Q     So what authority does DLB have for operating the  
24     station in Jennifer Hill's name?

25          A     I don't know.

1 MS. LANCASTER: I have one more question.

2 JUDGE STEINBERG: I knew you would.

3 BY MS. LANCASTER:

4 Q I believe there was some testimony about you  
5 answering the requests for admissions in your name, not on  
6 behalf of DLB and not on behalf of Ron and not on behalf of  
7 Pat. Do you feel that you would have an obligation to  
8 answer the questions asked in the requests for admissions to  
9 the fullest extent of your knowledge?

10 A Yes.

11 Q And that really wouldn't matter if you got that  
12 knowledge as an employee of DLB, would it?

13 A Then they wouldn't be my answers because I would  
14 have to rely on someone else if I wasn't an employee there.

15 Q So anything that you've learned while you've  
16 worked at DLB, you did not have to include -- you did not  
17 have to consider when you answered the requests for  
18 admissions?

19 A As I said earlier, I put it into the context that  
20 it was from 1996 to 1999 and I can only answer what  
21 I thought I knew at that time and that's the way I did it.

22 MS. LANCASTER: I have no further questions.

23 JUDGE STEINBERG: Mr. Pedigo?

24 MR. PEDIGO: No, Your Honor.

25 JUDGE STEINBERG: Mr. Romney?

## 1 RECROSS-EXAMINATION

2 Q Would you please turn, sir, to Exhibit 20, page  
3 16? Do you have that in front of you?

4 A I'm there.

5 Q Have you heard testimony this week, sir, that  
6 Jennifer Hill indeed signed an assignment of the license to  
7 DLB?

8 A Yes, I have.

9 Q And are you of the knowledge, sir, that were it  
10 not for this proceeding of which we are all a part that  
11 there's a high likelihood the FCC would have granted that  
12 application, that assignment, to DLB?

13 A Yes, they would have.

14 MR. ROMNEY: No further questions, Your Honor.

15 JUDGE STEINBERG: Okay. You are excused,  
16 Mr. Brasher, and you know about the sequestration order.

17 (The witness was excused.)

18 JUDGE STEINBERG: Who is the next witness?  
19 Diane Brasher?

20 MS. LANCASTER: Diane. Mm-hmm.

21 JUDGE STEINBERG: Do you think she will take this  
22 long?

23 MS. LANCASTER: No. Bill's doing her.

24 JUDGE STEINBERG: Okay. Let's go off the record.  
25 (Whereupon, at 12:40 p.m., a recess was taken.)

A F T E R N O O N   S E S S I O N

(1:50 p.m.)

JUDGE STEINBERG: Back on the record.

Whereupon,

JENNIFER GAIL SUMPTER HILL

having been first duly sworn, was called as a witness herein and was examined and testified as follows:

DIRECT EXAMINATION

BY MR. KNOWLES-KELLETT:

Q Ms. Hill, would you please state your full name for the record?

A Jennifer Gail Sumpter Hill.

Q Okay. And Sumpter is your maiden name?

A Yes, sir.

Q And who are the people in your immediate family?

A My father, Jim Sumpter; my mother, Norma Sumpter; and my younger sister, Melissa Sumpter, Ellington now.

Q What's your address?

A My address is 2105 Highwood Street, Mesquite Texas, 75181.

Q Okay. And where do you work?

A I work for a company called Davis Clark & Company.

Q And what do you do there?

A I'm the tax manager.

Q Okay. You're a CPA?

1 A Yes, sir.

2 Q Okay. And where did you go to college?

3 A I went to college at University of Texas in  
4 Arlington.

5 Q Okay. What years did you go to college?

6 A From summer of 1989 to August of 1994.

7 Q Okay. And did you work at Sumpter Accounting?

8 A Yes, I did.

9 Q Okay. And what years did you do that?

10 A I started for my dad's firm in 1987 and I worked  
11 through August of 1994.

12 Q Okay. Was there a phone in your car during any of  
13 that time?

14 A Yes, sir.

15 Q And what years was there a phone in your car?

16 A I believe from 1989 to 1992.

17 Q Okay. And who provided that phone? Do you know?

18 A My Uncle Ronald. Ronald Brasher.

19 Q Okay. Did you have a radio license at that time  
20 for that phone?

21 A No.

22 JUDGE STEINBERG: Could I ask something here?

23 What's your date of birth?

24 THE WITNESS: My date of birth is July 20, 1971.

25 JUDGE STEINBERG: Okay. Thank you.

1 THE WITNESS: You're welcome.

2 JUDGE STEINBERG: I also wanted to tell you that  
3 as far as -- I think as far as the FCC is concerned, you are  
4 out of this case and that -- and I'm also going to tell this  
5 to your parents and to your sister Melissa -- that as far as  
6 this hearing is concerned, you are all out of it.

7 You are not parties any more, you were separated  
8 out, the licenses that you had are part of this case, but  
9 you made it pretty clear how you stand on the licenses, and  
10 that you're not in any trouble with the FCC as far as I know  
11 and you're not going to get in any trouble with the FCC as  
12 far as I know.

13 So what I'm interested in here is is the best  
14 memory that you have of the questions that are going to be  
15 asked of you by everybody and, you know, without you  
16 worrying that you're going to be in trouble for something  
17 that you said. The only conceivable way that you might be  
18 in trouble is if you don't tell the truth and I think  
19 I speak for everybody in this room when I tell you that  
20 that's all we're interested in.

21 If you said something in the past, I know your  
22 deposition was taken, is that right?

23 THE WITNESS: Correct.

24 JUDGE STEINBERG: If you said something in the  
25 past and if you've had occasion to think about it some more

1 and remember some more and what you said in the past you  
2 don't think is accurate any more because you've had a chance  
3 to think -- you've had a lot of chance between November and  
4 December and now to think, I imagine.

5 THE WITNESS: Yes, sir.

6 JUDGE STEINBERG: Just say that this is my memory  
7 today and I've thought about it and this is the truth as  
8 I remember it today. I don't want you to be nervous, I know  
9 you're nervous, you can't possibly not be nervous, and if  
10 you need time to think about an answer or you want to take a  
11 break or anything like that, just feel free to just ask me  
12 and we'll do it, but I just want you to try to relax and  
13 stay calm and just tell us the answers to the questions just  
14 the best way that you remember then, okay?

15 THE WITNESS: Okay.

16 JUDGE STEINBERG: I should have said that before  
17 you started.

18 BY MR. KNOWLES-KELLETT:

19 Q I'd like you to turn to Exhibit 34, if you would.  
20 Do you recognize that document?

21 A Yes, sir.

22 Q Have you recently reviewed that document?

23 A Yes, sir.

24 Q Okay. Could you turn to page 18 of that document?

25 A Okay.

1 Q Is that your signature, 10/6/2000 in the bottom  
2 right corner?

3 A Yes, sir.

4 Q Okay. So you read and attested to the accuracy of  
5 this document? Is that correct?

6 A Yes, sir. I did.

7 MR. ROMNEY: I'm sorry, I wasn't able to hear that  
8 last question.

9 MR. KNOWLES-KELLETT: Did she read and attest to  
10 the accuracy of the document.

11 MR. ROMNEY: Thank you.

12 JUDGE STEINBERG: You have very nice handwriting.  
13 I think you've got the nicest handwriting of anybody in this  
14 case.

15 BY MR. KNOWLES-KELLETT:

16 Q Could you turn to Exhibit 54 now?

17 A 54?

18 Q Yes.

19 JUDGE STEINBERG: I guess CPAs don't -- you don't  
20 hand write things in those little boxes any more, you're  
21 putting it all in boxes on computers.

22 THE WITNESS: Yes, sir.

23 JUDGE STEINBERG: Of course, it would be a little  
24 hard to get your big signature into that little box on the  
25 spreadsheet.



1 BY MR. KNOWLES-KELLETT:

2 Q Okay. I'd like you to flip through this document.

3 Do you see on the second page of the document it says

4 "Application for mobile radio service authorization"?

5 A Yes, sir.

6 Q Okay. Have you seen this application before?

7 A Yes, sir.

8 Q Okay. Is that your signature on the third page of

9 this application?

10 A No, sir. It is not.

11 Q Okay. And how do you know that?

12 A Because the J looks different from my J, the

13 Ns are spaced out, the H is different.

14 Q Okay. Anything else? I'm sorry, I don't mean to

15 cut you off.

16 A No, those are basically -- it just doesn't look

17 like my signature.

18 Q Okay. And do you recall signing this application?

19 A No, sir. I do not.

20 Q Okay. Do you see that the date on this

21 application is June 1996?

22 A Yes, sir.

23 Q Did you discuss with anybody at DLB this

24 application in June 1996?

25 JUDGE STEINBERG: Do you know what DLB is?

1 THE WITNESS: Yes, sir.

2 No, I don't remember if I did.

3 BY MR. KNOWLES-KELLETT:

4 Q Okay. Were you aware at that time of the proposed  
5 expansion to Allen, Texas that DLB was doing?

6 A No, sir.

7 Q Okay. Were you generally aware of what was going  
8 on at DLB at that time?

9 A No, sir. I was not.

10 Q Okay. During the years '87 to '94, when you  
11 worked at Sumpter Accounting, did you have some awareness of  
12 what was going on at DLB?

13 A I had awareness of his accounting records for the  
14 company as a whole, but as far as individual things that  
15 were going on at DLB, I did not.

16 Q Okay. When you say "his" --

17 A I mean my Uncle Ronald's business, DLB.

18 Q Okay. I'd like to turn your attention to Exhibit  
19 55. Do you recognize this document?

20 A Yes, sir.

21 Q And on the seventh page, is that your signature?

22 A Yes, sir.

23 Q Okay. If I could turn your attention to  
24 Attachment E, which is labeled on page 17 but really is page  
25 18 of that document --

1 A Okay.

2 JUDGE STEINBERG: What's the little number in the  
3 circle on the bottom of the page?

4 MR. KNOWLES-KELLETT: 18.

5 JUDGE STEINBERG: 18? Okay.

6 THE WITNESS: 18? Okay.

7 BY MR. KNOWLES-KELLETT:

8 Q First question, was that your address at the time,  
9 4312 Gus Thomasson Road?

10 A Yes, sir.

11 JUDGE STEINBERG: At what time?

12 MR. KNOWLES-KELLETT: The 1996 timeframe.

13 THE WITNESS: Yes, sir. In 1996, that was my  
14 address.

15 BY MR. KNOWLES-KELLETT:

16 Q This actually -- look at the top right. It's a  
17 license that was issued 9/25/1996.

18 A Yes, sir.

19 Q At the time of the issuance of this license, was  
20 that your address?

21 A Yes, sir.

22 Q Okay. Do you recognize this license?

23 Q Yes.

24 Q Okay. When do you first recall seeing this  
25 license?